



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/464,161	12/16/99	GOMI	S 450100-02228

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WM01/1106

EXAMINER

NGUYEN, K

ART UNIT

PAPER NUMBER

2674

DATE MAILED:

11/06/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/464,161

Applicant(s)

GOMI ET AL.

Examiner

Kevin M. Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-5 and 9 in Paper No. 09/464,161 is acknowledged.
2. This application contains claims 6-8 drawn to an invention nonelected with traverse in Paper No. 09/464,161. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-5 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ogawa (US 5,572,251).**

As to claim 1, Ogawa teaches an image processing apparatus which includes a light take in portion 12a of the camera 12 (capture second image) faces the screen 11 to receive light from the light point 14 on the screen 11 and the optical position (coordinate data) detecting unit 12 of the light point 14 (see Fig. 1, col. 3, lines 20-24), the all pixels are ON/OFF –controlled so that the windows 45 having the maximum value of mean brightness can be formed (see col. 7, lines 7-9) corresponding to the claimed blinking-pattern detection means. Binarizing the image information (Fig. 4), a

light point 14 to be detected is displayed on the screen 11 by the laser point 15. Light 21 reflected from the light point 14 enters the optical position-detecting unit 12 (see col. 6, lines 6-8).

As to claim 2, Ogawa teaches the optical position-detecting unit 12 (position determination means) compensates the position of the light point 14 on the second image to determine the position of the light point 14 on the first image (see col. 5, lines 61 to col. 6, line 2).

As to claim 3, Ogawa teaches the image pick up by the CCD image sensor 27, a part or patten drawn in the patter plate 24 (col. 5, line 26-27), the pattern shown in Fig. 4 as code "1" and "0" (col. 5, lines 6-9), step 26 shows the code sequence which obtained is converted into the coordinates of the center pattern (col. 7, lines 66-67).

As to claim 4, Ogawa teaches a method of process for finding out the position of formation of the imaged point 33 on the LCD mask 26 in accordance with the position of existence of the light point 14 on the screen 11 (see col. 7, lines 11-20).

As to claim 5, Ogawa teaches the computer 17, which inherently includes the medium for a computer readable program.

As to claim 9, Ogawa teaches a presentation system (see Fig. 1, col. 3, lines 17-18), a laser pointer 15, the camera 12, the image processing means for determining the position of the bright point on the first image from image information indicating the second image and for binarizing the image information to detect the blinking pattern of the bright point on the first image (the computer unit 17 performs data processing, col. 3, lines 32-34), combination means for combining the first image correspondingly to the

position of the bright point and the blinking pattern of the bright point detected by the image processing means (the computer unit 17, col. 3, lines 24-31).

5. Claims 1-5 and 9 are also rejected under 35 U.S.C. 102(b) as being anticipated by Marshall et al (US 5,502,459).

As to claims 1 and 4, Marshall teaches the apparatus and the method of an image processing which includes a camera 34, the primary image 24 (the first image), the spot on/off flag 27 (blinking pattern) was detected by the camera 34 (a captured second image) and processed by the microprocessor 42 (Fig. 1, see col. 6, lines 40-45).

As to claims 2 and 3, Marshall teaches the position determination means (see col. 6, lines 31-34), the spot on/off flag 27 (blinking pattern) was detected by the camera 34 (a captured second image) and processed by the microprocessor 42 (Fig. 1, see col. 6, lines 40-45).

As to claim 5, Marshall teaches the computer 12, which inherently includes the medium for a computer readable program.

As to claim 9, Marshall teaches the optical system 11, a LDC 13, the computer 12, an overhead projector 20, the camera 34 (see col. 4, lines 20-29) which are made up the presentation system as claimed.

6. Claims 1-5 and 9 are also rejected under 35 U.S.C. 102(b) as being anticipated by Barrus (US 5,914,783).

As to claims 1, 4 and 9, Barrus teaches the presentation 12, a laser pointer 22, a CCD camera 36, the screen 34 (the first image), the spot 32, (see col. 3, lines 36-54), the blinking-pattern detection means 56 (see col. 4, lines 24-27).

As to claim 2, Barrus teaches the position determination means 38 (see col.3, lines 36-42).

As to claim 3, Barrus teaches the second image is taken by a flow pickup 36, and the blinking-pattern detection means 56, 54, (see col. 3, line 66 through col. 4, line 11).

As to claim 5, Barrus teaches the computer 18, which inherently includes the medium for a computer readable program.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 form.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-6209**. The examiner can normally be reached on M-F (9:00-5:00), with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe** can be reached on **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

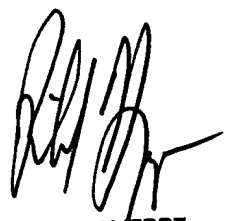
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kevin M. Nguyen
Examiner
Art Unit 2674

KN
October 29, 2001



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600